



MEMORANDUM

DATE: November 7, 2013
TO: Salisbury City Council
FROM: Doug Paris, City Manager
SUBJECT: Unanswered Questions Regarding Downtown Central Office Project

Below is additional information and public records regarding two unanswered questions related to the downtown central office project.

1. Did Rowan County interfere in the project? The city withdrew our application after Rowan County interfered with our application. Rowan County stated they have not interfered with our project and they had washed their hands of our project.
 - a. LGC Interference: An email from Rowan County's Director of Environmental Management Kathryn Jolly to Rachel Kirkman of Golder Associates citing a letter to the LGC from Gary Page.
 - b. LGC Interference: An email chain between Jolly and Kirkman stating that "Gary is going to mail the LGC with our concerns/your info - hopefully they will turn down the city down"
 - c. Financing Interference: An email from Jolly to Kirkman highlighting the city's financing company, Suntrust, and asking Kirkman for Suntrust's ESA requirements and also asking her to "get a number for this chick - thanks - down low" referring to Daria Milburn, VP, REVAL/Environmental Risk Management at Suntrust
 - d. Political Interference: An email from Jolly to Kirkman citing that Chairman Sides asked Fred Steen, chief lobbyist/legislative liaison for NC Governor Pat McCrory and Carl Ford to look into the matter given the feeling the city is receiving preferential treatment from DENR related to the cleanup.
2. What is Rowan County's relationship with Golder Associates who produced the memo related to 329 S. Main?
 - a. An email from County Manager Gary Page to Jolly citing an interview with Emily Ford and whether Golder worked for the county.
 - b. Emails between Jolly and Kirkman related to Golder Associates fees.
 - c,d,e,f. Emails between Jolly and Kirkman that speak to the professional relationship between the county and Golder.

1A

Doug Paris

From: Jolly, Kathryn P. [Kathryn.Jolly@rowancountync.gov]
Sent: Monday, July 29, 2013 1:07 PM
To: Kirkman, Rachel
Subject: Question

How could I find out the status of 329 South Main—Gary has to write a letter to the LGC

18

Doug Paris

From: Jolly, Kathryn P. [Kathryn.Jolly@rowancountync.gov]
Sent: Wednesday, August 07, 2013 10:35 AM
To: Kirkman, Rachel
Subject: RE: School board approves central office lease

Will do—thank you!!!!

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Wednesday, August 07, 2013 10:35 AM
To: Jolly, Kathryn P.
Subject: RE: School board approves central office lease

10-4. Let me know if you need anything else.

From: Jolly, Kathryn P. [mailto:Kathryn.Jolly@rowancountync.gov]
Sent: Wednesday, August 07, 2013 10:34 AM
To: Kirkman, Rachel
Subject: RE: School board approves central office lease

I'm going to sit tight—Gary is going to mail the LGC with our concerns/your info—hopefully, they will turn the City down, so a more suitable location can be found for the schools---

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Wednesday, August 07, 2013 10:33 AM
To: Jolly, Kathryn P.
Subject: RE: School board approves central office lease

I'm not sure how that will work actually. You may call Scott Pearce with A&D Environmental (3368031783). He does a lot of projects with vapor intrusion/barrier issues and may be able to shed some light on how the process works.

Rachel

From: Jolly, Kathryn P. [mailto:Kathryn.Jolly@rowancountync.gov]
Sent: Wednesday, August 07, 2013 9:36 AM
To: Kirkman, Rachel
Subject: RE: School board approves central office lease

Do you suppose they will even mention it to the insurance carrier?

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Wednesday, August 07, 2013 9:20 AM
To: Jolly, Kathryn P.
Subject: RE: School board approves central office lease

Wonder how much the insurance premiums will be with the potential for vapor intrusion.

From: Jolly, Kathryn P. [mailto:Kathryn.Jolly@rowancountync.gov]
Sent: Wednesday, August 07, 2013 8:58 AM
To: Kirkman, Rachel
Subject: School board approves central office lease

School board approves central office lease

- [Karissa Minn](#)
 - [Email](#)
 - [Facebook](#)
 - [Twitter](#)
- Posted: Wednesday, August 7, 2013 12:12 a.m.
UPDATED: Wednesday, August 7, 2013 12:48 a.m.
-
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EAST SPENCER — The Rowan-Salisbury Board of Education approved a lease agreement Tuesday with the city of Salisbury for a new central administrative office.

The vote was 5-2, with Chuck Hughes and Josh Wagner saying they wanted to hold off a little longer. The agreement doesn't yet include a start date, because the school board doesn't know when the building at 312 S. Main St. will be ready for use.

Gene Miller, assistant superintendent of operations, said the earliest move-in date will be in October 2014.

He also said the state's Local Government Commission will not have to approve the school system's lease agreement, as previously reported.

On Monday evening, the city of Salisbury submitted its plans to the LGC for approval of a 15-year loan. The school board's lease will have a term of 35 months, or just under 3 years.

"That is the reason we are able to enter this lease without county approval, and without LGC approval," Miller said. "For 36 months or more, it would have required both."

Also allowing the school board to bypass the LGC is the fact that the school system will not be taking ownership of the building — or paying toward ownership — at any time during the 35-month lease.

At the end of the lease, Miller said the school board could choose to buy the building. It would have to get permission from county commissioners, though, and the current Rowan County Board of Commissioners has opposed plans for the downtown office.

Wagner asked if the LGC would consider the lease agreement when making a decision on the city of Salisbury's application.

"No, they're not using the lease other than to say to the LGC, 'We have a potential lessee,'" Miller said. Wagner also asked if there was an advantage to signing the lease before project is approved, but his question went unanswered.

Miller said Salisbury expects to hear back from the LGC by the beginning of September, and city council plans to award a construction contract Sept. 6.

Marand Builders of Charlotte submitted the low bid of \$6.9 million for the building, along with a \$346,000 for a decorative dome, a custom desk for the Board of Education and special data wiring. The total of \$7.25 million is still less than the \$8.5 million originally estimated for the project.

Last week, Salisbury City Council awarded a financing contract to STI Institutional and Government Inc., a subsidiary of SunTrust.

With a 3.12 percent interest rate over 15 years, Miller estimated that payments would be \$390,000 for the first year, \$459,000 for the second year and \$693,000 for the third year and beyond. Those payments can be partially funded by the \$250,000 that the board is expected to save each year through consolidation, he said.

"After 15 years, the indication is that they would give the building to the school board," Miller said. "That's not in writing, because it can't be... but we would hope that the building would become the Board of Education's building."

Miller said the school board would not only pay for insurance on the contents of the building, but also on the building itself, which is unusual for a rental agreement.

"They want to be able to say it's not costing them money for us to be in this building," Miller said, referring to the city of Salisbury.

Hughes said it concerns him that the school board would be insuring a facility that it doesn't own.

"That, to me, binds us somewhat to the building," he said. "I don't know if that would be a problem for the LGC."

Hughes made a motion to postpone signing the lease until the next meeting, to give board members more time to read it over. His motion failed without a second.

Wagner then moved to wait until the city receives a response from the LGC. Hughes seconded, and Jean Kennedy voted with them, but the rest of the board voted it down.

Finally, Kay Wright Norman made a motion to approve the lease as presented. The document was approved 5-2, with Wagner and Hughes opposed.

"I guess we'll know what's in it after we pass it," Hughes said.

Contact reporter Karissa Minn at 704-797-4222.

Twitter: twitter.com/posteducation

Facebook: facebook.com/Karissa.SalisburyPost

Kathryn Pringle Jolly, REM
Director of Environmental Management
Rowan County Government
(704) 216-8593

1C

Doug Paris

From: Kirkman, Rachel [Rachel_Kirkman@golder.com]
Sent: Wednesday, July 31, 2013 7:50 AM
To: Jolly, Kathryn P.
Cc: Sinclair, Caleb M
Subject: Re: HANG ON--

I'm sure they follow the industry standard (ASTM/AAI standard). I am not aware of folks that don't.

At home sick today - caught stomach bug my little one had.

Sent from my iPhone

On Jul 31, 2013, at 7:24 AM, "Jolly, Kathryn P." <Kathryn.Jolly@rowancountync.gov> wrote:

<image001.gif>

<http://www.fandr.com/projects/Site/SunTrust.pdf>

From: Jolly, Kathryn P.
Sent: Wednesday, July 31, 2013 6:52 AM
To: Sinclair, Caleb M; 'Kirkman, Rachel'
Subject: track down--please read
Importance: High

I need SunTrust ASTM Phase 1 ESA requirements—get a number for this chick—thanks—down low

Overview

Daria K. Milburn (@dariamilburn).

- **Vice President, REVAL/Environmental Risk Management at SunTrust Bank**

Past

- Community Energy Conservation Coordinator at City of Charlotte
- Executive Director at United States Green Building Council - Charlotte Region Chapter
- VP, Environmental Affairs at Wachovia

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Central office financing bids come in lower than expected

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▪ Posted: Wednesday, July 31, 2013 1:04 a.m.

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SALISBURY – The proposed school central office will cost \$2.7 million less than expected, thanks to low construction and financing bids, city officials said Tuesday.

“It would be a dereliction of our duty as community leaders to not go forward with this project,” Councilwoman Karen Alexander said at a called City Council meeting. “This economic environment is really unusual historically. To have all of that come together at one time is pretty amazing.”

<image002.jpg>

<image002.jpg>

Construction bids surprised city and school leaders last week when some came in \$1 million under budget. Then, city officials were “ecstatic” when SunTrust Bank offered to finance the project at 3.12 percent interest over 15 years, better than the expected rate of 3.75 percent over 20 years.

City Council voted Tuesday to award the financing contract to **STI Institutional and Government Inc., a subsidiary of SunTrust. If the state’s Local Government Commission gives the city approval to borrow the money, the council plans to award the construction contract Sept. 6.**

Marand Builders of Charlotte has the low bid of \$6.9 million for the building and \$346,000 for extras including a decorative dome, custom desk for the Board of Education and special data wiring, for a total of \$7.25 million. That’s less than the \$8.5 million the city estimated the project would cost.

City Council members made it clear they want the building to have a dome, even if the city has to chip in.

To construct the office building, the city plans to borrow \$7.37 million over 15 years, down from \$8.37 million over 20 years. With the lower interest rate and shorter time frame, the city would pay \$9.5 million over the life of the loan, as opposed to the expected \$12.2 million, according to Assistant City Manager John Sofley.

The city would borrow the money on behalf of Rowan-Salisbury School System, which hopes to lease the three-story, 62,000-square-foot office building planned for 329 S. Main St. The state must also give the school system permission to enter into a lease agreement with the city.

If approved, the school system would make the debt payments for the city, using state sales tax revenue earmarked for capital outlay.

City Council also voted to approve a resolution of findings of fact regarding the project, required by the state as part of the application process. The resolution says the office building is “necessary for the city to continue with downtown redevelopment and the implementation of the Downtown Salisbury Master Plan.”

The city is using a state law that allows cities to borrow money for economic development in central business districts. Pete Bogle, director for Rowan County's Building Codes Enforcement Department, said he believes the city could land a developer for the nearby vacant Empire Hotel within a year of building the central office.

A parking lot promised to the school system and Integro, which is building a \$3.2 million headquarters next to the central office site, is not included in the \$7.37 million project. The city has pledged to provide about 200 parking spaces, most of which would be new construction.

Bidding and constructing the parking lot will come later, Sofley said. Parking lot construction crews would need the same staging area currently used by Integro, he said.

Councilman William "Pete" Kennedy, a real estate agent, said the city has experience managing property — the seven-story Plaza owned by Salisbury.

Kennedy and other council members said they are willing to help pay for the decorative dome if the Robertson Foundation doesn't cover the total cost. The foundation had agreed to pay for a \$125,000 dome, but the decoration will cost \$234,959.

If the foundation doesn't pick up the tab, Sofley said he's not opposed to making up the gap since the project came in under budget.

Alexander said the city should pitch in to place the dome on the building, "which is going to be an example of our institutional and governmental care for our community and last for generations."

Supporters had to find a private donor to fund the dome after it was cut from the project to meet a smaller, \$6 million budget set by Rowan County commissioners, who originally were going to fund the central office. A majority of commissioners later pulled their support for the downtown location, and the city took over.

"The decision to strike the dome was a legacy decision from another government agency and as Mr. Sofley so aptly said, this is now our building," Mayor Pro Tem Maggie Blackwell said.

"Make sure that dome goes on there," Mayor Paul Woodson added.

City Manager Doug Paris said the low bids on the project mean the school system will save \$2.7 million, not the city.

"It's not necessarily our money we are saving, it's the school system's," Paris said.

If approved by the state, the school system would enter into a 35-month lease agreement with the city. City and school leaders chose the short-term lease to avoid needing Rowan County commissioners' approval for the project.

But the arrangement would require the Board of Education's vote to renew the lease every three years, while the city carries a 15-year debt.

Regardless, City Council members want to move forward.

"The window is closing," said Councilman Brian Miller, a banker.

If the city had waited a few more years or even months to bid the office building, the interest rate would have been higher, Miller said.

"God is smiling on this project to this point," Miller said.

Construction costs also would have gone up, said Alexander, an architect. Even since the city opened construction bids last week, costs for certain materials have increased, she said.

The city has the opportunity to help fill a critical need in the community that's been known for more than two decades, Alexander said. Rowan-Salisbury School System has never had a central office and currently houses administration in five locations, including the dilapidated Long Street office.

"To have administrative staff working in that building, that is an embarrassment to our county and our citizens," Alexander said. "They are working in conditions that are third world. We should not wait another day."

Paris said the terms of the loan allow pre-payment with no penalty, so the school system could buy the building at any point. School officials have said they plan to lease, not purchase, the building.

Kennedy pointed out that most of the 80 people who spoke in favor of the new central office at a recent public hearing lived in Rowan County, not the city of Salisbury.

"A majority of citizens were from Rowan County pleading with us to do something," he said.

Contact reporter Emily Ford at 704-797-4264.

Kathryn Pringle Jolly, REM
Director of Environmental Management
Rowan County Government
(704) 216-8593

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Doug Paris

From: Jolly, Kathryn P. [Kathryn.Jolly@rowancountync.gov]
Sent: Sunday, February 03, 2013 10:41 AM
To: Kirkman, Rachel
Subject: Re: Commissioners could vote on central office Monday | Salisbury Post

Please convey, that Chairman Sides plans to ask for the entire file with Rep (Rowan) now Fred F. Steen, II is the chief lobbyist/legislative liaison for North Carolina Governor Pat McCrory. Will be asked to look into this along with Senator Carl Ford (Rowan) because they feel the City/NC DENR did not follow protocol....the feeling is that the City is being given preferential treatment because of all the statements the City has made: partnership, city not at fault, city will only have to pay a 35k deductible because State will be picking up the tab. Sooner or later the State will have to dispel that myth.....I trust your judgement, but they need to know.
THANKS.

KateAsusHome

"Kirkman, Rachel" <Rachel_Kirkman@golder.com> wrote:

I will start with Dan since he is in the UST section. He should be able to speak to details better. I will also ask if they have submitted any pre-approval requests for remedial actions under the Trust Fund.

Sent from my iPhone

On Feb 3, 2013, at 10:27 AM, "Jolly, Kathryn P." <Kathryn.Jolly@rowancountync.gov><<mailto:Kathryn.Jolly@rowancountync.gov>>> wrote:

Either him or Andrew Pitner---I have one commish who wants to know why we haven't been applying for these partnership monies--the City has certainly floated that out there in the news articles and minutes.

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Sunday, February 03, 2013 10:17 AM
To: Jolly, Kathryn P.
Subject: Re: Commissioners could vote on central office Monday | Salisbury Post

Hopefully I can reach him. Fingers crossed.

Sent from my iPhone

On Feb 3, 2013, at 10:14 AM, "Jolly, Kathryn P." <Kathryn.Jolly@rowancountync.gov><<mailto:Kathryn.Jolly@rowancountync.gov>>> wrote:

you are the best--I will need it by 3pm--thanks!

"A racehorse gallops with his lungs, preserves with his heart, and wins with his character." eart,
And wis with hic-- Federico Tesio
Kathryn Pringle Jolly, REM
Director of Environmental Management
Rowan County Government
2727-D Old Concord Road - Salisbury, NC 28146

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Sun 2/3/2013 10:02 AM

To: Jolly, Kathryn P.

Subject: Re: Commissioners could vote on central office Monday | Salisbury Post

I have that email-it was vague. I will ask him what ranking DENR assigned to the site and what actions were required/are complete/outstanding/etc.

~~123~~ (2A)

Doug Paris

From: Page, Gary L [Gary.Page@rowancountync.gov]
Sent: Monday, February 04, 2013 1:27 PM
To: Jolly, Kathryn P.
Subject: RE: [New post] What is Groundwater Contamination?

KJ, Give me a call when you can. Emily Ford with the Post asked if Golder worked for the County. I said yes, on any issues with contamination. She asked why, when we could just call the City. I sidestepped and said with the high profile of this property for the Central Office site, we'd need to know everything was in order before accepting a transfer of a deed. I said that I wasn't aware of any cost to date from Golder. That would come later if they were needed. I told her about using Golder on the Perma-flex property.

I also said that should the County not pursue the project, it wouldn't matter to us what the disposition of the property is in the future.

Who knows what this is about. GP

-----Original Message-----

From: Jolly, Kathryn P.
Sent: Wednesday, January 16, 2013 7:23 PM
To: Chris Ward; Rachel Kirkman; MPLUMMER; Hall, Jeff A.; Auten, Kevin; Page, Gary L; Sinclair, Caleb M; Ramsey, David C
Subject: Fwd: [New post] What is Groundwater Contamination?

KateAsusHome

----- Original Message -----

Subject: [New post] What is Groundwater Contamination?
From: Rowan Free Press <donotreply@wordpress.com>
To: jollykp@co.rowan.nc.us
CC:

28

Doug Paris

From: Jolly, Kathryn P. [Kathryn.Jolly@rowancountync.gov]
Sent: Thursday, January 31, 2013 9:33 AM
To: Kirkman, Rachel
Cc: Kesler, Tamra H.
Subject: RE: question and issue

Let me think about it—we will work something out

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Thursday, January 31, 2013 9:31 AM
To: Jolly, Kathryn P.
Cc: Kesler, Tamra H.
Subject: question and issue

Good morning.

I wanted to confirm our meeting place for 1:00 today – airport office, correct?

Also, we are out of money on general consulting due to all the recent issues related to the airport and school property, not including today's meeting (currently over \$1300 on the \$6000 budget). I'm sorry we didn't alert you sooner but I didn't realize we were this tight on budget. We've been billing time to general consulting for these types of activities. Can you increase the budget from \$6,000 to an amount you feel appropriate to cover out of scope items? Perhaps we should increase to \$12,000 to get us through the end of June (it's time and materials, so you'll only get charged if the time is needed)?

Please let us know how you want to handle that.

Thanks,
Rachel

Rachel P. Kirkman, P.G. | Associate and Senior Geologist | **Golder Associates NC, Inc.**
5B Oak Branch Drive, Greensboro, North Carolina, USA 27407
T: +1 (336) 852-4903 | **F:** +1 (336) 852-4904 | **C:** +1 (336) 402-5542 | **E:** Rachel_Kirkman@golder.com |
www.golder.com

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Please consider the environment before printing this email.

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Doug Paris

From: Jolly, Kathryn P. [Kathryn.Jolly@rowancountync.gov]
Sent: Wednesday, August 28, 2013 1:13 PM
To: Kirkman, Rachel
Subject: RE: City withdraws application for downtown school central office

Miss you guys too—hug everyone for me!!

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Wednesday, August 28, 2013 1:13 PM
To: Jolly, Kathryn P.
Subject: RE: City withdraws application for downtown school central office

Wow

Miss you at SWANA

From: Jolly, Kathryn P. [<mailto:Kathryn.Jolly@rowancountync.gov>]
Sent: Wednesday, August 28, 2013 1:11 PM
To: Kirkman, Rachel
Subject: FW: City withdraws application for downtown school central office

From: Jolly, Kathryn P.
Sent: Wednesday, August 28, 2013 1:04 PM
To: Greene, Greg; Sinclair, Caleb M; Hall, Jeff A.; Auten, Kevin; Byrd, Kelvin R; Ramsey, David C
Subject: FW: City withdraws application for downtown school central office
Importance: High

From: Jolly, Kathryn P.
Sent: Wednesday, August 28, 2013 1:03 PM
To: Page, Gary L
Subject: City withdraws application for downtown school central office
Importance: High

City withdraws application for downtown school central office

- Posted: Wednesday, August 28, 2013 11:44 a.m.
-
-
-
- [E-Mail](#)



Doug Paris

From: Jolly, Kathryn P. [Kathryn.Jolly@rowancountync.gov]
Sent: Tuesday, February 05, 2013 6:36 AM
To: Kirkman, Rachel
Subject: Re: Cleanup of 'massive' soil contamination at central office site could be complete in 60 days
| Salisbury Post

Amazing detective work....LOL
KateAsusHome

"Kirkman, Rachel" <Rachel_Kirkman@golder.com> wrote:

Thanks. At least my name got left out so I don't have to buy the next round-LOL.

Sent from my iPhone

On Feb 5, 2013, at 6:27 AM, "Jolly, Kathryn P." <Kathryn.Jolly@rowancountync.gov> wrote:

>
>
> 0 Tweet Tweet 0
>
> SALISBURY — While the proposed site for the Rowan-Salisbury Schools central office has extensive soil contamination, no one knows if groundwater under the site is contaminated as well, a state official said.
>
> Rowan County commissioners on Monday killed plans for a downtown school central office, citing contamination.
>
> So far, the city has removed seven underground fuel tanks and 3,500 tons of contaminated soil from the site, a “massive amount,” said Dan Graham, a hydrogeologist with the N.C. Department of Environment and Natural Resources, Underground Storage Tank Section.
>
> But groundwater contamination — and any state-mandated cleanup — can be determined only by digging test wells at the site, Graham said.
>
> “You could speculate to high heaven, but until you have analytical results, you just don’t know for sure,” said Graham, who works in Mooresville and serves as the state’s project manager for the proposed central office site.
>
> Salisbury City Manager Doug Paris said the city will continue the cleanup and, in light of the commissioners’ vote, plans to sell the property in the 300 block of South Main Street to a private developer.
>
> “Our role is to enable the property to go back to productive use,” Paris said. “... We will develop something else on top of it. We want that end of downtown to look just as good as North Main Street and Easy Street.”
>
> Paris said private developers are interested in the site and surrounding area but would not disclose names.
>
> “Private investment tends to follow public investment,” he said.
>
> He estimated the site will be cleaned up, backfilled and ready for development within 60 days.
>
> Paris said he couldn’t say whether the city would consider financing the \$8 million school central office project, instead of the county.
>
> “I would need staff to convene and consider if that’s a viable option, and I would need to put that before City Council and the school board,” he said.
>
> The state is picking up the tab for cleanup at the site, which has skyrocketed from \$35,000 to an estimated \$500,000. The city will pay a \$20,000 deductible, regardless of the total price tag.
>

2 E

Doug Paris

From: Kirkman, Rachel [Rachel_Kirkman@golder.com]
Sent: Wednesday, January 09, 2013 6:47 PM
To: Jolly, Kathryn P.
Subject: Re: SPRING SWANA

Not if Scott us teaching from what I hear! ;)

Sent from my iPhone

On Jan 9, 2013, at 6:32 PM, "Jolly, Kathryn P." <Kathryn.Jolly@rowancountync.gov> wrote:

I believe Greg will be representing us—I would love to but Jeff and I have to re-certify MOLO this summer. They might as well teach MOLO in Pittsboro----what's the point of having it somewhere nice—you're in class from 8-5----LOL

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Wednesday, January 09, 2013 6:29 PM
To: Jolly, Kathryn P.
Subject: Re: Request for additional information about School Property

Ok. We'll miss you in Asheville.

Sent from my iPhone

On Jan 9, 2013, at 6:26 PM, "Jolly, Kathryn P." <Kathryn.Jolly@rowancountync.gov> wrote:

I am NOT going to SWANA because I have to re-do my MOLO---let's get together for another shooting excursion--

reproduction or distribution of this information requires written authorization from ESP Associates, P.A.

2F

Doug Paris

From: Kirkman, Rachel [Rachel_Kirkman@golder.com]
Sent: Wednesday, January 09, 2013 6:29 PM
To: Jolly, Kathryn P.
Subject: Re: Request for additional information about School Property

Ok. We'll miss you in Asheville.

Sent from my iPhone

On Jan 9, 2013, at 6:26 PM, "Jolly, Kathryn P." <Kathryn.Jolly@rowancountync.gov> wrote:

I am NOT going to SWANA because I have to re-do my MOLO---let's get together for another shooting excursion--

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Wednesday, January 09, 2013 6:25 PM
To: Jolly, Kathryn P.
Subject: Re: Request for additional information about School Property

Do what you gotta do to keep sane! We should get together for a venting session with wine. :).

Sent from my iPhone

On Jan 9, 2013, at 6:15 PM, "Jolly, Kathryn P." <Kathryn.Jolly@rowancountync.gov> wrote:

<image001.gif>

Thanks for allowing to blow off steam----I OWE YOU
BIG!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! AND SO DOES MY HEART HEALTH!!!!!!!!!!!!!!!!!!!!

From: Kirkman, Rachel [mailto:Rachel_Kirkman@golder.com]
Sent: Wednesday, January 09, 2013 3:43 PM
To: Jolly, Kathryn P.
Cc: Phillips, Terri
Subject: Request for additional information about School Property

Hey Kathryn.

At your request, we have done some additional research into the potential requirements and corresponding paperwork required by NCDENR. The responsible party (as defined in DENR's GUIDELINES FOR ASSESSMENT AND CORRECTIVE ACTION FOR UST RELEASES (October 1, 2012) page vii – full version is attached for reference as: a UST owner, UST operator, and/or landowner seeking reimbursement from the State Trust Fund), or any person who is responsible for a discharge or release of petroleum or a hazardous substance.

There is a gray area here in regard to "responsible Party" specifically "landowner" since the City was not responsible for the original contamination but apparently may seek